

M. ROBERT KESTENBAUM, LLC
PATENT AND TRADEMARK MATTERS

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TO:	FROM:
Attention: Art Unit 3749	M. Robert Kestenbaum
COMPANY:	DATE:
Commissioner for Patents	December 20, 2006
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
(571) 273-8300	32
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
(571) 272 4872 (Examiner Boles)	(WW) 29536 P US
RE:	YOUR REFERENCE NUMBER:
Information Disclosure Statement	10/759,754

NOTES/COMMENTS:

Dear Examiner Boles:

I am faxing this IDS to you, including: Fax cover sheet (1 page); Transmittal of IDS under 37 CFR 1.97(b) or (c) (2 pages); Statement Under 37 CFR 1.97(e) (1 page); PTO 1449 Information Disclosure Citation (1 page); copy of EP 1 234 697 A1 (9 pages); copy of EP 0 999 078 A1 (16 pages); English translation of the claims of EP 1 234 697 A1 (2 pages)

Thank you in advance for consideration of this IDS while preparing your next office action for 10/759,754.

Sincerely,



M. Robert Kestenbaum
Reg. No. 20,430

11011 BERMUDA DUNES NE
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PHONE (505) 323-0771
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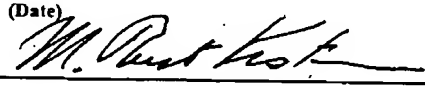
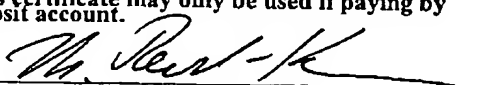
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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))				Docket No. (WW) 29536 P US	
In Re Application Of: Eberspäch					
Application No. 10/759,754	Filing Date 01/16/2004	Examiner Derek Bokes	Customer No.	Group Art Unit 3749	Confirmation No.
Title: Device for Air Conditioning a Vehicle					
<p>Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p>37 CFR 1.97(b)</p> <p>1. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p>37 CFR 1.97(c)</p> <p>2. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p> <p><input checked="" type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p> <p>OR</p> <p><input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p>					

P10A/REV05

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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))						Docket No. (WW) 29536 P US
In Re Application: Eberspäch						
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.	
10/759,754	01/16/2004	Derek Bokes		3749		
Title: Device for Air Conditioning a Vehicle						
Payment of Fee (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))						
<input type="checkbox"/> A check in the amount of _____ is attached. <input type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. _____ No Fee Required as described below. <input type="checkbox"/> Charge the amount of _____ <input type="checkbox"/> Credit any overpayment. <input type="checkbox"/> Charge any additional fee required. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.						
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
Certificate of Transmission by Facsimile* I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____) 12/20/2006 (Date)  Signature M. Robert Kestenbaum Typed or Printed Name of Person Signing Certificate				Certificate of Mailing by First Class Mail I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) Signature of Person Mailing Correspondence Typed or Printed Name of Person Mailing Certificate		
*This certificate may only be used if paying by deposit account.  Signature						
Dated: 12/20/2006						
M. Robert Kestenbaum Reg. No. 20.430 11011 Bermuda Dunes NE Albuquerque, NM USA 87111 Phone (505) 323-0771 Fax (505) 323-0865						
CC:						

P10A/REV05

US Patent Application 10/759,754 Attorney Docket (WW) 29536 P US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: US Patent Application 10/759,754
Filed 01/16/2004
Title Device for Air Conditioning a Vehicle
Applicant Eberspäch
Attorney Docket (WW) 29536 P US

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Commissioner for Patents
Mail Stop - Art Unit 3749
P.O. Box 1450
Alexandria, Virginia 22313-1450

Transmittal of Information Disclosure Statement
Statement Under 37 CFR 1.97(e)

Dear Examiner Boles:

Enclosed is an Information Disclosure Statement accompanied by copies of the cited references.

I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counter-part foreign application not more than three months prior to the filing of this statement.

Respectfully submitted,



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CERTIFICATE OF SUBMISSION BY FACSIMILE TRANSMISSION

I hereby certify under 37 CFR §1.8(a) that this correspondence is being submitted to Art Unit 3749, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 20, 2006, fax number (571) 273-8300.



M. Robert Kestenbaum

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INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Docket Number (Optional)

(WW) 29536PUS

Application Number

10/759,754

Applicant(s)

Eberspäch

Filing Date

01/16/2004

Group Art Unit

3749

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

U.S. PATENT APPLICATION PUBLICATIONS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
		EP 1 234 697 A1	28/08/2002	Europe	B60H	1/03		✓
		EP 0 999 078 A1	10/05/2000	Europe	B60H	1/03	✓	

OTHER DOCUMENTS
(Including Author, Title, Date, Pertinent Pages, Etc.)

		English translation of the claims of EP 1 234 697

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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